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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/474,948	12/30/1999	BRIAN PARSONNET	25302	2982

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EXAMINER

JEANTY, ROMAIN

ART UNIT PAPER NUMBER

3623

DATE MAILED: 03/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/474,948

Applicant(s)

PARSONNET ET AL.

Examiner

Romain Jeanty

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 December 2002.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) 31-55 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10,20 and 30 is/are allowed.
- 6) ☒ Claim(s) 1-9,11-19 and 21-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |                                                                                              |                                                                             |
|----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### **Response to Amendment**

1. This communication is in response to Applicant's amendment filed on December 12/4/2002 in which claims 1, 5, 10-11, 15, 20-21, 25 and 30 were amended.

### **Response to Arguments**

2. Applicant's arguments filed on December 4, 2002 with regard to claims 1-9, 11-19 and 21-29 have been fully considered but they are not persuasive.

### **Claim Rejections - 35 USC § 103**

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-9, 11-19 and 21-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gabbita et al (U.S. Patent No. 6,349,238) in view of Storch et al (U.S. Patent No. 5,920,846) as set forth in the prior Office Action of paper number 6.

### **Remarks**

5. Applicant asserted that Gabbita et al and Storch et al does not teach applicant's claimed invention. Applicant further supported his assertion by arguing that Gabbita et al and Storch et al do not teach or suggest a collaborative workflow for a plurality of vendors. The examiner respectfully disagrees with Applicant's argument because

Art Unit: 3623

a plurality of users and make known the information to vendors who can fulfill the service orders. Note col. 4, lines 37-55.

Applicant further argued that Gabbita et al and Storch et al do not teach storing the messages in association with the service order. Again, the examiner respectfully disagrees with Applicant's position because Storch et al clearly teaches a database for storing information associating with the service order. Note col. 4, lines 56-59.

Applicant further argued that neither Gabbita et al nor storch et al teach or suggest at least partially developing or executing a workflow by the receipt. Official Notice is taken that partially executing workflow on received information is well known in the workflow management art. It would have been obvious to a person of ordinary skill in the art to partially execute the workflow based on receive information because this would allow an input role to be solicited and processed in a smooth and efficient manner. Buzsaki (U.S. Patent No. 5,98,7422) discloses the idea of partially executing a workflow received and stored information. Note col. 5, lines 31-51 and col. Col. 12 line 59 through col. 13 line 5.

Applicant further argued that identifying fee associated with the work flow and stores such fee in the work flow record in not shown or suggested by the cited references. The examiner respectfully disagrees with Applicant's position because the Storch's billing rates associated with the service provided (col. 9, lines 27-41) which implies that a fee is associated and stored for the provided service. Furthermore, Official Notice it is old and well known in the workflow management art for a service provider to associate and storing a fee for service request provided to client or users. It would have been obvious to a person of ordinary skill in the art to incorporate a fee associated and storing

Art Unit: 3623

with a service request in Applicant's disclosure because that would derive revenue stream for the service provider.

Applicant further argued that Gabbita et al does not teach defining at least one process step to be performed by the main controller. The examiner respectfully disagrees with Applicant's position because Gabbita et al does show a processing step (col. 2, lines 29-43).

Applicant further argues that the cited references do not teach the work flow definitions define portions of the workflow to be performed by the main controller, and modifying these definitions alters either the nature of the process to be performed. Again, the examiner respectfully disagrees with Applicant's position because Gabbita et al teaches workflow definitions and the idea of modifying these definitions (col. 17, lines 38-46).

Applicant further argued that the feature of the work flow record comprising primary and secondary work flow records for different service requests, and tracking different aspects of an overall work flow within the aggregate workflow record. The examiner disagrees with Applicant's position because Gabbita et al does disclose a workflow step "a primary work flow record" associated with a service request (col. 2, lines 29-43). Gabbita et al does not explicitly a secondary workflow record associate with a second request. However, the system of Gabbita et al has the functional limitation of having a secondary workflow record associated with a second request. Therefore, it would have been obvious to a person having ordinary skill in the art to modify the Gabbita et al's system to incorporate a secondary workflow record in order to track the

Art Unit: 3623

workflow associated with the processing of the service requests. Gabbita et al further discloses tracking of order information (col. 5, lines 33-48).

Applicant further argued the cited references do not show or suggest the second service request is generated by the vendor responding to customer's service request. The examiner respectfully disagrees with Applicant's position because these features are interpreted as a customer sending a request to make additional changes such as repairing or rebuilding a part and the vendor agrees to do so resulted in having a second workflow being associated with a second service request.

Applicant further argued that the cited references do not recite an accounting controller identifies and records the fees associated with the second request. The examiner respectfully disagrees with Applicant's position because the combination of Gabbita et al and Storch et al discloses charging billing rates to a customer for a to service request (see claim 1 above) but Gabbita et al and Storch et al fail to disclose identifying at least one additional fee associated with a said second work flow and storing second fee associated with said at least one additional fee in said first work flow record. However, these features are equivalent having more steps or additional labor time to perform a service request for a customer. Including these features into Gabbita et al and Storch et al would have been obvious to a person of ordinary skill in the art for charging the customer an additional fee for the incurred labor.

Applicant further argued that the cited references do not teach or suggest the fee information relating to the first and second service requests are allocated to the primary and secondary work flow records. Again, the examiner respectfully disagrees with Applicant's position because Gabbita et al discloses sending a customer's billing

Art Unit: 3623

information to be processed (col. 6, lines 33-51), but Gabbita et al does not explicitly disclose associating a fee for a second work flows record. Storch et al discloses associating rates for any number of workflow records for a service order (i.e. col. 19, lines 33-41). Therefore, it would be obvious to a person having ordinary skill in the art to modify the system of Gabbita et al to incorporate rates for a number of record records as evidenced by Storch. Doing so would provide an instant view or lookup of what a service will cost a customer or what a vendor will charge.

Applicant further argued that the service request is programming a customized application according to customer specification. Again, examiner respectfully disagrees with Applicant's position because Gabbita et al discloses a web based interface module. Such interface module has the capability to provide customized view of service requests. Note col. 5, lines 33-48.

### **Conclusion**

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Shkedy (U.S. Patent No. 6,260,024) discloses a method for using a computer acting as an intermediary to facilitate a transaction between a plurality of buyers and sellers.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

Art Unit: 3623

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed Romain Jeanty whose telephone number is (703) 308-9585. The examiner can normally be reached Monday-Thursday from 7:30 am to 6:00 pm.

If attempts to reach the examiner are not successful, the examiner's supervisor, Tariq R Hafiz can be reached at (703) 305-9643.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 308-1113.

Any response to this action should be mailed to: Commissioner of Patents and Trademarks Washington, D.C 20231

or faxed to: (703) 305-7687

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington VA., and seventh floor receptionist.

RJ

February 4, 2003



**TARIQ R. HAFIZ**  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600